

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN MIN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C11-0647-JCC
(CR09-0083-JCC)

ORDER

The Court, having reviewed petitioner's 28 U.S.C. § 2255 motion (Dkt. No. 1), the parties' briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge (Dkt. No. 10), the objection of the United States (Dkt. No. 11), and the remaining record, finds and orders as follows:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner's § 2255 motion is **DENIED** as to **Claims 1, 2, 4, and 5**, and those claims are **DISMISSED** with prejudice;
3. Petitioner is **DENIED** issuance of a certificate of appealability as to **Claims 1, 2, 4, and 5**;

DATED this 15th day of February 2012.

John C. Cochran

ORDER
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